HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 205 of 2006 (SS)

Sunder Lal son of Sri Gulab Ram
Incharge District Supply Officer,
Bageshwar ..... Petitioners

Versus

1. Secretary/Commissioner, Food and Civil Supply, Uttaranchal
2. Additional Commissioner, Food and Civil Supply Uttaranchal, Dehradun
3. Assistant Commissioner, Food Kumaun, Bhotia Parao, Haldwani, District Nainital
4. District Magistrate, Bageshwar
5. Miss Shilpi Shukla, Area Ration Officer, District Bageshwar ..... Respondents

Sri S.S. Yadav, Advocate for the petitioner
Standing counsel for the respondents.

Dated: 24.2.2006

Hon'ble Rajesh Tandon J.

Heard Sri S.S. Yadav, counsel for the petitioner and the Standing counsel for the respondents. Both parties have agreed that the case be disposed of at this stage.

By the present writ petition, the petitioner has prayed for a writ of certiorari quashing the clause (4) and (6) of the impugned order dated 10.2.2006, annexure-4 to the writ petition and further prayed for a writ of mandamus directing the respondents to grant regular promotion to the petitioner on the post of District Supply Officer, Bageshwar.

Briefly stated that petitioner was initially appointed as clerk and thereafter he was promoted on the post of Supply Inspector in the year 8.6.1973 and worked in several hill Districts. The petitioner has been working as Incharge District Supply Officer Since 2003. The petitioner was entitled for promotion as per reservation roaster and seniority but instead of promoting him now vide letter dated 10.2.2006 he is directed to work under Area Ration Officer, who is a newly recruited officer.

The grievance of the petitioner is that vide order dated 10.2.2006 he is directed to perform the duty of Supply Inspector in District Bageshwar under newly recruited Area ration Officer who is on probation but with regard the similarly situated persons Mr. Bhue Prakash Incharge District Supply Officer, Champawat there is nothing in the order.

The petitioner has submitted that he has already made a representation to the respondent no.1, which has not been decided as yet.

In view of above, the respondents are directed to decide the representation of the petitioner within three weeks after the receipt of the certified copy of this order. Till disposal of the representation of the petitioner by the respondents, order dated 10.2.2006 will not effect the present posting of the petitioner at Bageshwar.

Subject to the above observations, the wit petition is disposed of. No order as to costs.

Dated: 24.2.2006 **Rajesh Tandon J.**

*Dhyani